IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO.: 3:12-CR-249-FDW-DCK

UNITED STATES OF AMERICA,
)
vs.
)
CHARLOTTE ELIZABETH GARNES,

PROTECTIVE ORDER

Upon consideration of the United States' motion for a protective order in connection with the production of individually identifiable medical information to the defendant, including such information as patient medical records, and claims for payment to Medicaid and other insurers by or on behalf of clients related to CHARLOTTE ELIZABETH GARNES, Oriaku Hampton Sowell, Charlotte's Insight, Chancellor's Place, PLLC and other behavioral health care companies, it is hereby:

ORDERED that the United States and counsel for the defendant shall keep individually identifiable patient information strictly confidential and shall not disclose that information to any person other than the parties' attorneys, staff, consultants, investigators, and experts, and to medical personnel involved in an individual patient's care who may be witnesses and their attorneys, as necessary for preparation of the case and defense in this action, and such information shall be used only for purposes of this litigation including as necessary during discovery and preparation for trial; and

FURTHER ORDERED that, should defense counsel show copies of any documents containing individually identifiable medical information to the defendant, defense counsel shall redact all individually identifiable medical information;

FURTHER ORDERED that individually identifiable medical information shall not be

entered into the public record, either in pleadings or in open Court, unless individual patient

identifiers are redacted, submitted under seal, or blind coded to protect patient identities from

unnecessary public disclosure, unless the Court otherwise allows for good cause shown; and

FURTHER ORDERED that at the conclusion of this litigation, including all appeals, all

individually identifiable medical information shall be returned to the United States Attorney's

Office, or destroyed at the direction of the United States Attorney's Office;

FURTHER ORDERED that as to all persons who are provided access to individually

identifiable medical information in connection with the preparation and defense of this matter,

counsel of record shall advise each of these persons of the privacy and confidentiality of such

information and their obligation not to disclose the information, and to affirm their understanding

of their obligation not to disclose the information before such information is disclosed.

Signed: September 17, 2012

David C. Keesler

United States Magistrate Judge